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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,897	03/15/2001	Seung-Hee Yi	P-191	3484
34610	7590	06/21/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			HOANG, THAI D	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/805,897

Applicant(s)

YI, SEUNG-HEE

Examiner

Thai D. Hoang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 13, 21-33 is/are rejected.
- 7) ☒ Claim(s) 6-12 and 14-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 13, 30, 21 and 23 are rejected under 35 U.S.C. 102(b) as being unpatentable by Clarke et al (hereafter Clarke), US Patent No. 5,550,914.

Regarding claims 1-2, 13, 30, 21 and 23, Clarke discloses a system and method called Communications signaling network apparatus. Clarke that an SS7 network (fig. 1 and 4) basically comprises various types of signaling points, namely, signaling end points (SEPs) and signaling transfer points (STPs) interconnected by signaling links, the SEPs being associated for example with respective service switching points (SSPs) of the transmission network, and service control points (SCPs). Congestion may arise in the signaling network as a result, for example, of a number of SEPs simultaneously wishing to pass messages to another SEP (such as an SCP providing a database resource to the network). In this case, the links to the target SEP may not be able to handle the concentration of message traffic. In figures 4-7, Clarke disclose a message interceptors 52s, which protect the SCP 50 from overload, the action taken by each interceptor 52 will be to selectively suppress messages from the corresponding link before they reach the SCP. Moreover, Clarke discloses a simple message suppression criteria would be to suppress all calls directed to a particular party; in this case, the

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selection criteria would be the intersection of a data type indicator indicating a call set-up (IAM) message with a data item having predetermined call party digits. In other words, the control circuit 72 would suppress any IAM message containing the specified called party digits. A more complicated selection criterion would be to limit the number of new calls initiated in a moving time window from a particular party. For such more complicated selection criteria, the selective action control circuit 72 must keep various running totals. The keeping of such counts and any subsequent calculations based on such counts can be treated as actions consequent on certain basic criteria relating to data type and/or content being met, these consequential actions being stored along with the basic criteria in store 73. For connection-oriented sequences of Message Signal Unit (MSU), upon suppression of an MSU of such a sequence by the control circuit 72, it is preferable that an indication be returned to the originating signaling point indicating that the action intended or requested by the suppressed MSU has failed or been refused. This indication must be part of the existing set of messages that constitute appropriate responses for the suppressed MSU. In order to generate this response indication, a response circuit 76 is provided which when so requested by the control circuit 72, generates appropriate response data for inclusion in a return MSU to the originating signaling point. Elements of this response data, including the point code of the originating signaling point, are obtained by the response circuit 76 from the data register 71; figs. 1-2, 4-7, col. 5, lines 26-41, col. 7, lines 25-40, col. 8, line 57 – col. 9, line 51.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 22, 24-28, 29 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clarke as shown above in view of Q.704 recommendation of the Telecommunication Standardization sector ITU-T of the International Telecommunication Union.

Regarding claims 3-5, 22, 24-28, 29 and 31-33, Clarke discloses all of limitations as shown above, except: 4 bits congestion level, H0, H1 codes and cause value. However, the congestion level and cause value are mentions in the ITU-T/Q.704. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply ITU-T/Q.704 standard into Clarke's system in order to adapt with conventional system used in Networks; figures 2-3, col. 3, line 46 – col. 4, line 8, col. 6, lines 35 - col. 7, line 3, col. 8, line 57 – col. 9, line 16.

***Allowable Subject Matter***

Claims 6-12 and 14-20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments filed 04/07/2005 have been fully considered but they are not persuasive.

Pages 19-20 of the remarks, Applicants argue that the reference does not include the step of "generating the UPC message in the destination signaling point". Examiner respectfully disagrees. Applicants are directed to figs. 5-7 and col. 9, lines 37-48, wherein the reference teaches:

"For connection-oriented sequences of MSUs, upon suppression of an MSU of such a sequence by the control circuit 72, it is preferable that an indication be returned to the originating signaling point indicating that the action intended or requested by the suppressed MSU has failed or been refused."

And

"In order to generate this response indication, a response circuit 76 is provided which when so requested by the control circuit 72, generates appropriate response data for inclusion in a return MSU to the originating signaling point."

Thus, the reference clearly teaches the limitation that is argued in the remarks.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-18:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang

  
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